

As explained in detail below, we declined to commence a prosecution for bribery because we found no evidence that there was a *quid pro quo* – a specific and corrupt agreement to give and receive something of value in exchange for an official act by a government official. Threshold evidence of such a *quid pro quo*, however, had sparked the interest of Senate and House committees in the Hudson matter, provoked Justice Department interest in the allegations and ultimately was identified by the Justice Department as a possible motivation for perjury.

From a criminal justice perspective, as long as large sums of money outside of the regulatory authority of the campaign finance laws – i.e., “soft money” – may be given to political parties, the possibility of attempted corruption of official actions will loom large, public confidence in the integrity of governmental decision-making will be undermined and federal prosecutors will too often be required to give extraordinary scrutiny to what should be ordinary administrative agency actions.⁷³¹

Having fully investigated the possibility of criminal corruption of an agency decision, and having found none, we were left with an unappealing and marginal case of potential perjury in connection with Secretary Babbitt’s testimony about his state of mind in old conversations and correspondence. The significance of the Secretary’s sworn statements were diminished with the passage of time and the intervening finding of no corruption. Babbitt had given confusing and

⁷³¹The solicitation and donation of private contributions can promote healthy interactions between politicians and their supporters. This process can inform government decisionmaking and improve the responsiveness of the political system to constituents’ interests. But it can also lead to improper relationships between donors and policymakers or produce perceptions of influence that fuel public disaffection.

Investing in the People’s Business: A Business Proposal for Campaign Finance Reform, Committee for Economic Development at 2 (1999).